

15QJSOKM

Motions

1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK

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3 MARK I. SOKOLOW, individually and
4 as a natural guardian of plaintiff
Jamie A. Sokolow, et al.,

5 Plaintiffs,

6 v.

04 Civ. 397 GBD RLE

7 PALESTINE LIBERATION ORGANIZATION,
8 et al.,

9 Defendants.

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12 May 26, 2011
13 10:07 a.m.

15 Before:

16 HON. GEORGE B. DANIELS,

17 District Judge

20 APPEARANCES

21 ROBERT JOSEPH TOLCHIN,
22 Attorney for plaintiffs

23 MARK J. ROCHON,
24 BRIAN A. HILL,
Attorneys for defendants

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1 have I told you. I wouldn't say I refuse to answer your
2 question.

3 THE COURT: Lawyers do that and that usually informs
4 my decision.

5 MR. TOLCHIN: By that token, if we originally pleaded
6 this case as an Eastern District case in the Eastern District,
7 and we then had come to the same point, they would say that
8 they had no right to transfer it to DC even though that is
9 where they are because we alleged venue based on where the
10 plaintiffs are. That just belies the whole -- you're stuck
11 with what you pleaded as being nonsense. You plead what you
12 think you need to get into the courthouse where you're trying
13 to get into.

14 As you can see, there are 20 other courthouses where
15 this case could have been brought into all over the country.
16 We wouldn't plead Texas, a plaintiff lives in Texas if we are
17 not trying to get into a Texas court.

18 THE COURT: I have one final question.

19 Mr. Rochon, you can either answer it or consider it.
20 If I don't grant your motion to transfer it to DC and I grant
21 the plaintiffs' motion to transfer, or if I am inclined to
22 grant the plaintiffs' motion to transfer it to Brooklyn, do you
23 even want the opportunity to waive venue and stay in this
24 district?

25 MR. ROCHON: I believe the court offered me the